DOCUMENT RESUME

ED 463 383 UD 034 911

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TITLE When Rescue Is Urgent: Children in Shelter Placement for Seven Days or Less.

INSTITUTION Minnesota Univ., Minneapolis. Center for Advanced Studies in Child Welfare.; Minnesota Univ., Minneapolis. Center for Urban and Regional Affairs.

SPONS AGENCY Minnesota State Dept. of Human Services, St. Paul.
PUB DATE 2001-12-00
NOTE 30p.
AVAILABLE FROM For full text: http://www.cura.umn.edu/publications/rescue.pdf.
PUB TYPE Reports - Evaluative (142)
EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS Age Differences; Blacks; Child Abuse; Child Neglect; *Child Welfare; Children; *Foster Care; Parent Child Relationship; Police; Racial Differences; Referral; Sexual Abuse; Social Workers
IDENTIFIERS *Minnesota

ABSTRACT

This study examined the circumstances of children in Hennepin County, Minnesota, who were removed from their homes under urgent circumstances and placed for 7 days or less in emergency shelter care. It investigated whether shelter placement was the least intrusive response for the safety of the children in emergency situations and clarified the working relationship between child protection workers and local law enforcement officers. Data came from administrative information collected by St. Joseph's Home for Children during 1999 and from interviews with child protection workers and supervisors; St. Joseph's staff members, administrators, and intake workers; the Minneapolis Chief of Police; the supervisor of and workers in the community-based first response unit; and precinct-based child protection workers. Nearly 62 percent of children were brought in by police under an emergency placement authority. One-third came in under court order. The most common reasons for emergency placements were neglect and physical and sexual abuse, parent/caretaker incarceration, and parent abandonment. African American children were disproportionately represented in all age groups. About 15 percent of children were in repetitive placements. Prior to entering St. Joseph's, most children lived in single parent households. Most younger children, but only one-quarter of older children, were returned to families or relatives within 7 days. (SM)

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Funded in part by a Title IV-E grant through the Minnesota Department of Human Services.

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Acknowledgements

This study could not have been possible without the generous cooperation of the staff of St. Joseph's Home for Children. Our thanks, especially, to Andy Martin who responded with grace and good humor to our numerous requests for details from the data base that St. Joe's managed. Moreover, this report benefited enormously from the contributions of many individuals who provided history, background, and astute observations on practice and policy, when systems such as child protection and law enforcement intersect. Staff members of St. Joseph's Home for Children, who met with us in two staff meetings, and the representatives of Hennepin County who met with us in a special staff meeting convened by Dr. David Sanders, provided valuable perspectives. We also acknowledge, with appreciation, the contributions of Carolyn McHenry, Elena Izaksonas, Charlie Lawler, and Leslie Marcus. In addition, an interview with Police Chief, Robert Olson and Lieutenant Don Harris was very useful.

We wish to thank Judge Heidi Schellhas whose concern with children in emergency care first alerted us to the importance of pursuing this study.

We appreciate the technical and financial support of the Center for Urban and Regional Affairs and Center for Advanced Studies in Child Welfare, School of Social Work, through Title IV-E funds derived through the Minnesota Department of Human Services.

Mary Kaye LaPointe provided staff support and Michael Greco give advice on editorial matters. We thank them for invaluable technical help in completing the study.

"Taking a child into care is like starting a war. It is easy to fire the first shot, but even easier to lose control over the process that has been started."

Comment by Dr. Paul Steinhauer (deceased, May, 2000)
Professor Emeritus of Psychiatry and Public Health Sciences
University of Toronto
In consultation with the Center for Advanced Studies in Child Welfare
on Improving the Child Protection System, 1998

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Highlights

Pathway to Shelter Placement for 1,306 Hennepin County Children

- Almost 62 percent of the children were brought in by police under an emergency placement authority known as the 72-hour hold. Almost one-third came in under court order (32.2 percent), and a small number were voluntary placements (3.6 percent).

- The most frequent reasons for emergency placement were neglect and physical and sexual abuse (16 percent), parent/caretaker incarceration (12 percent), and parent abandonment (11 percent), for a total, overall, of 39 percent.

- A primary reason for very young children (0-3) needing emergency placement was related to caretaker's incarceration.

Characteristics of Children

- African-American children, in every age group—very young, school age, older adolescents—are disproportionately represented in emergency shelter care. More than half (55 percent) of children admitted are African American. School-age children (7 to 11) are strikingly African-American (60 percent), relative to other racial/ethnic groups (15 percent Caucasian, 9.4 percent Native American, and 9.7 percent bi-racial).

- A component of the racial/ethnic composition of children in emergency care is bi-racial or mixed heritage (11 percent).

- Forty-six percent came in as part of a sibling group.

- Almost 20 percent were living in foster homes, juvenile centers, group homes, or with kin. They arrived for placement because of "disruptive" circumstances.

- A striking proportion of African-American, school-age children are in emergency placement because of physical abuse.

- Older adolescents make up a large portion of children in disruptive placements (64 percent).

- A significant portion of African-American older children (12-17 year of age) left emergency placement as "runaways."

- A relatively small but distinct portion of children (15 percent) are in repetitive placements.

Characteristics of Families

- Prior to entering St. Joe's, most children lived in single parent households. Less than 10 percent were children in which both parents had legal custody.

- Parent-related factors were chiefly identified as substance abuse and neglect-related maltreatment.

Final Disposition

- Eighty-five percent of younger children, aged 0-6, are returned to families or relatives within the seven days of their emergency placement.

- In the case of older children, 12-17, only 24 percent are discharged to families or relatives.

- Eighty percent of children do not reappear in St. Joe's Shelter within the calendar year.

Introduction

This paper examines the circumstances of 1,306 children in Hennepin County who were removed under urgent situations and placed, for seven days or less, in emergency shelter care. This population represents more than one-quarter (26.13 percent) of the total number of children who experienced out-of-home placement (4,998) in Hennepin County for 1999.[1] This study allows us to examine, briefly, the circumstances of children who are removed from their families under emergency situations, their demographic profiles, and exit information following their shelter care.

Two research questions guided this study: Is placement in a shelter the least intrusive response for the safety needs of children in emergency situations? And, can we capture and clarify the working relationship between child protection workers and local law enforcement officers?

In examining the data on shelter placement, some conclusions are drawn and recommendations are made to improve protocols that guide emergency placements.

Background

Out-of-home placement, despite the reality that it may often be essential to protect the health and welfare of a child, is always a stressful event for a child. This is no less true when the out-of-home placement is for a brief period of time. Despite this certainty, a review of the child abuse and neglect literature on short-term or emergency out-of-home placements yields only occasional and indirect references.[2]

However, more recently, the role of police in child protection has drawn increased attention, particularly when children are found in circumstances that may endanger their health or welfare, and law enforcement officials are empowered to make emergency placements for their safety.[3] In the interconnection between law enforcement and child protection, two national issues dominated social policy debates at the time of this study. The first issue involved the merits of turning investigations of maltreatment reports over to the police, leaving child protection system the responsibility only for case planning. The argument was that this arrangement solves the apparent contradictory situation for child protection workers who are required to investigate families, and also provide them with supportive intervention that will be rehabilitative in nature. Several states are considering this arrangement.[4]

A second national issue was associated with a Supreme Court decision relating to the Fourth Amendment of the Bill of Rights prohibiting unreasonable searches and seizures.[5] This issue

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[1] Hennepin County Children, Family, and Adult Services Department. (2001). "Child Protection in Hennepin County," April 12.

[2] L.E. Wright and C. B. Seymour. (2000). *Working with children and families separated by incarceration: A handbook for child welfare agencies*. CWLA Press.

[3] Minn. Stat. 260.175 (2000).

[4] E.D. Hutchinson, P. Dattalo, and M.K. Rodwell. (1994). "Reorganizing Child Protection Services: Protecting Children and Providing Family Support," in *Children and Youth Services Review* 16, Nos. 5/6: 319-338.

[5] 532 U.S. Supreme Court (2001), Gail Atwater, et al.

brought arrest procedures and police behaviors to the nation's attention. At the same time, the substantial disparity in the representation of children of color among child protection cases became the center of reflection and scrutiny. These issues contributed nuances to the numerous discussions we had in scrutinizing the data from this study.

Sources of Data

Hennepin County, the most populated and urban county in Minnesota, was the site of this study. The data were based largely on administrative information collected by St. Joseph's Home for Children (hereafter referred to as St. Joe's) during 1999. According to data from St. Joe's, more than 2,463 children passed through this system in 1999. Of this group, 1,306 (53.02 percent) were in shelter for seven days or less. These data were augmented by group interviews with Hennepin County child protection workers and supervisors, and with staff members and administrative staff from St. Joe's. In-depth individual interviews with the Minneapolis chief of police, the supervisor of the Community Based First Response unit, child protection workers based in a police precinct, St. Joe's intake workers, and Hennepin County Community Based First Response workers also informed this study.

Limitations of the Data

Administrative data used in this study were gathered from the intake form used at the time of a child's arrival at St. Joe's and again at the child's discharge. The intake data are subject to the variables of emergency situations, including timing and priorities of workers responding to crises. A child, the police escort, or the child protection worker may provide additional responses necessary to complete the intake form. Complete and accurate information is often not available at the time of intake. Furthermore, the intake forms used by St. Joe's at the time of this study lacked clarity. Detailed information about the circumstances that necessitated child shelter placement was not systematically recorded.

Hennepin County is a large, urbanized county, and the findings of this study may not be generalizable to the rest of the state or to other places in the country. However, nearly half of statewide out-of-home placements, and almost 28 percent of all child protection cases, are in Hennepin County,[6] suggesting that the study may have some relevance for the state as a whole.

[6] Minnesota Department of Human Services. (2001). "Child Maltreatment: A 1999 Minnesota Report." Bulletin #01-68-07. May 4.

Pathway: From the Squad Car to the Shelter

Minnesota statutes allow law enforcement officers to take children into immediate custody when a child is found in surroundings or conditions that endanger the child's health or welfare, or when such an officer reasonably believes the condition may lead to endangerment of the child's health or welfare.[7] Hennepin County has one central location for its emergency shelter intake.[8] The Community-Based First Response system is a 24-hour crisis intervention service housed primarily in south Minneapolis at St. Joseph's Home for Children. Workers in this unit screen admissions into the county shelter system.[9] They are also qualified to do child protection investigations. An additional unit of two child protection workers, working night shifts, is placed in Precinct Four of the Minneapolis Police Department.

Children arrive at St. Joseph's Home via four methods authorized by statute and regulations: 72-hour hold, court order, voluntary placement, or juvenile warrant. The 72-hour hold[10] is the primary placement authority, accounting for 61 percent of all children with a length of stay less than seven days. This occurs when a child is in immediate danger and police believe that emergency protective care is indicated. Only the police are legally allowed to take a child into custody without prior court authorization.

Generally, in crisis situations, the removal takes place when there is reported or substantiated physical or sexual abuse, egregious neglect, abandonment, or a parental arrest. Children may then be placed in a squad car wherever they are—school, daycare, a foster home, etc.—and taken to St. Joe's. Law enforcement officers are required to call a child protection worker in the First Response unit when children are removed. Police then drop off the child or children at St. Joe's shelter. At this point, they may provide some information to the intake worker at St. Joe's. Once a child is placed in the shelter, the child my undergo several "interrogations." A staff nurse, an intake worker, a child protection worker, and a mental health professional may all want to question the child or children.

The availability of emergency care is an indispensable component of the crisis-ridden child welfare system. The 72-hour hold provides a brief interval for a relative/kin search, an assessment of the parents' capacity to care for the child, and time for a crisis team to find a stable solution for the care of a child from what are typically complex, multiproblem families. For the child welfare system, emergency care is "a breather" to work out a solution for the best interests of the child.

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[7] Minn. Stat. 260.175 (2000).

[8] "In Minnesota, counties may vary in arrangements they make for emergency care. Typically, for younger children, counties have developed emergency foster homes. These are regularly licensed family foster homes, but are usually paid an extra amount each month to compensate them for being on call. [In the case of] adolescents, particularly those who are being placed, in part, due to their own behavior, shelters for this specific purpose have been developed around the state. Some examples are Bethany in Duluth, Evergreen in Bemidji, Harbor Shelters in Dakota County (but open to the whole metro areas and some southern counties). These shelters are staffed by paid childcare staff working shifts." Personal communication with Don Siltberg, Minnesota Department of Human Services, July 12, 2001.

[9] Minnesota Department of Human Services, Family and Children's Services Division (2000). *Evaluating Minnesota's Child Protection System: An external review of Child Protection Services in Hennepin County.*

[10] Minn.Stat.260C.007, subd.4.

A court order[11] is the second most common avenue of entrance into St. Joe's. It occurs after a Child in Need of Protection or Services (CHIPS) petition has been filed, and a court hearing has been held. If the allegations of the CHIPS petition are admitted, or if those allegations are found by the court to be true at a later pre-trial or trial, the court may adjudicate the child as a "Child in Need of Protection or Services." Immediately following this procedure, the child would be taken to St. Joe's. Thirty-two percent of the children arrive under the jurisdiction of a court order. Of the children brought in under court order, 67 percent are adolescents aged 12–17.

Voluntary placements (four percent) and juvenile warrants (three percent) account for a small number of childrens' entry into shelter placement. Voluntary placements occur when a parent, without the pressure of a court order, chooses to place a child or children in St. Joe's for a temporary period. Children can also enter St. Joe's if there is a warrant out for the child's arrest. The police may pick up the child and bring the child to shelter care. This may be due to a court hearing dealing with status offenses— such as a truancy charge or running away from home—that the child failed to attend.[12]

Precinct Four

Although St. Joe's serves the Hennepin County region, the vast majority of children come from Minneapolis. Specifically, a majority of the children served by St. Joe's and requiring an emergency response come from the neighborhoods of Minneapolis' north side, which comprise The Minneapolis Police Department's Fourth Precinct .[13] The Fourth Precinct has distinct demographic characteristics. Of all the Minneapolis police precincts, the highest proportion of African-Americans in the county reside in the Fourth Precinct. An increasing number of Somali, Asian, and Hispanic families are also residents of this precinct. An extremely high concentration of children has been recorded within the precinct. In some neighborhoods in this area, there are as many as 60 children per square block.[14] The Fourth Precinct has the highest adult arrest rate among Minneapolis' five precincts. This is particularly noteworthy because it does not have the highest rate of reported crime (the Third Precinct, which encompasses the south side of Minneapolis, holds this record).

In this connection, it should be noted that the Fourth Precinct has been designated as a CODEFOR (Computer Optimized Deployment Focus on Results) "hotspot."[15] This designation makes it possible for police to target neighborhoods that they deem to be at risk for serious crimes. This strategy increases the presence of police and allows for significant discretion on the part of individual police officers in making arrests.

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[11] Minn. Stat. 260C.007, subd. 4.

[12] Juvenile Status Offenses concern noncriminal behaviors that are illegal because of the child's age, but are behaviors that are not illegal for adults.

[13] Minneapolis Police Department. (1999). *Annual Report.*

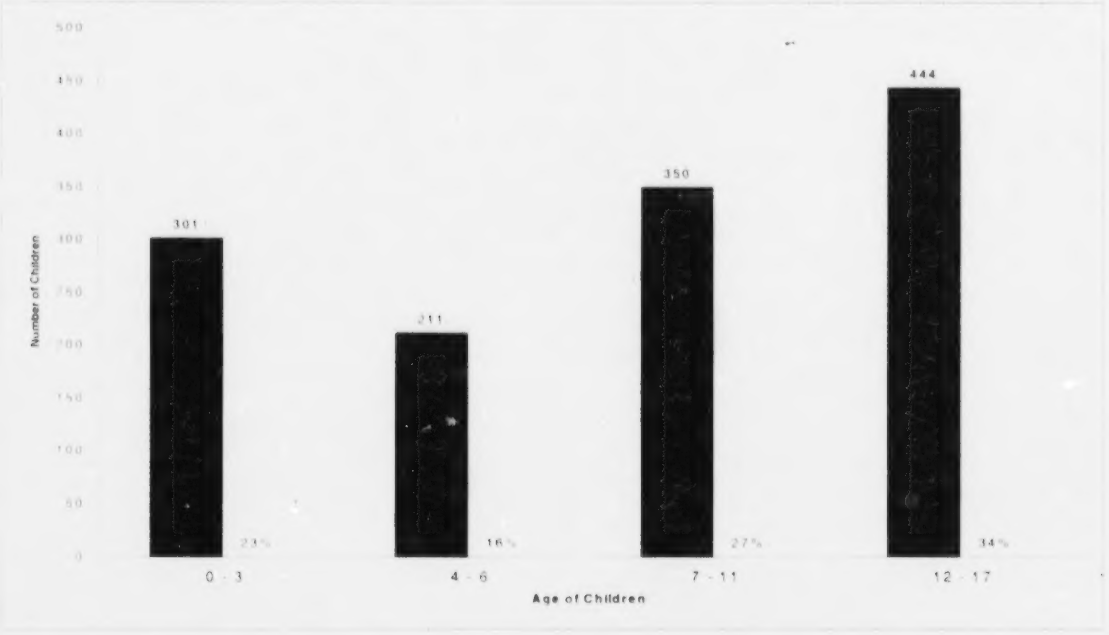
[14] Minneapolis Police Department. (1999). *Annual Report.*

[15] Minneapolis Police Department. "CODEFOR Strategy." http://www.ci.minneapolis.mn.us/police/

Findings

The data were examined to provide information on age, race/ethnicity, placement authority, reasons for placement, and disposition. Data on the child's family composition was not available, but it should be noted that slightly less than half (46 percent) of the children were admitted as part of a sibling group.

Figure 1. Admissions to St. Joseph's for Seven Days or Less by Age Group, 1999



As figure 1 illustrates, broken down by age, 23 percent (301) of the children were aged 0–3, 16 percent (211) aged 4–6, 27 percent (350) were aged 7–11, and 34 percent (444) were aged 12–17 (as seen in Figure 1 above). Note that very young children and the oldest group of children produce the highest number of children in shelter care.

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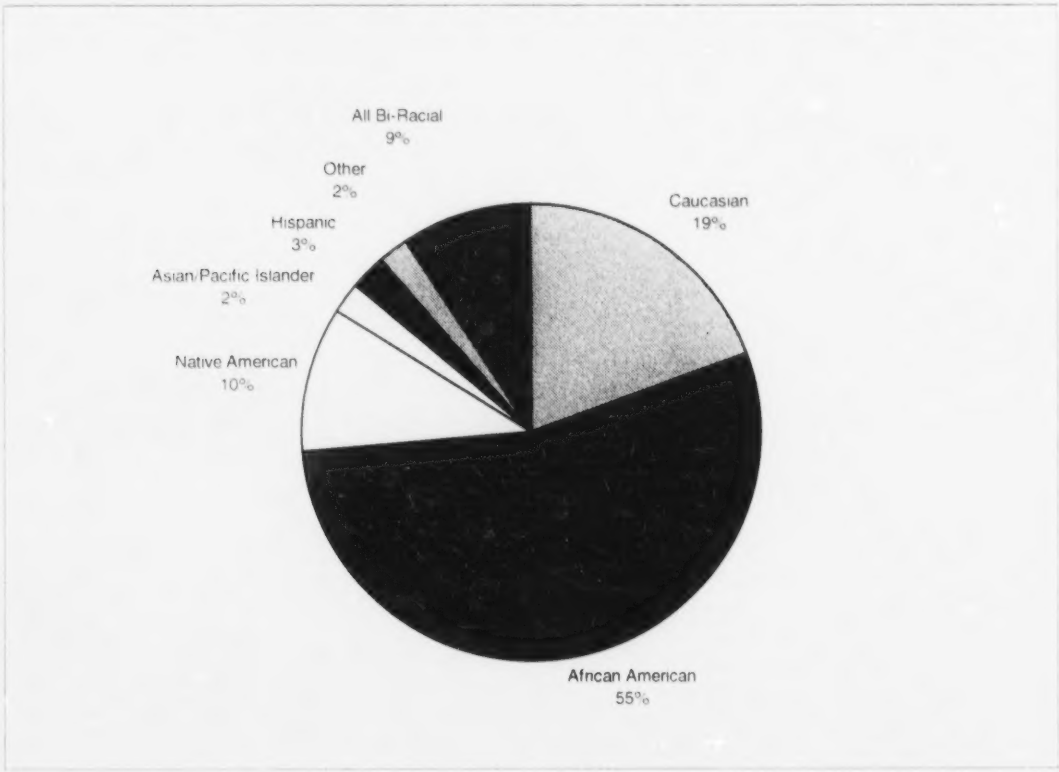
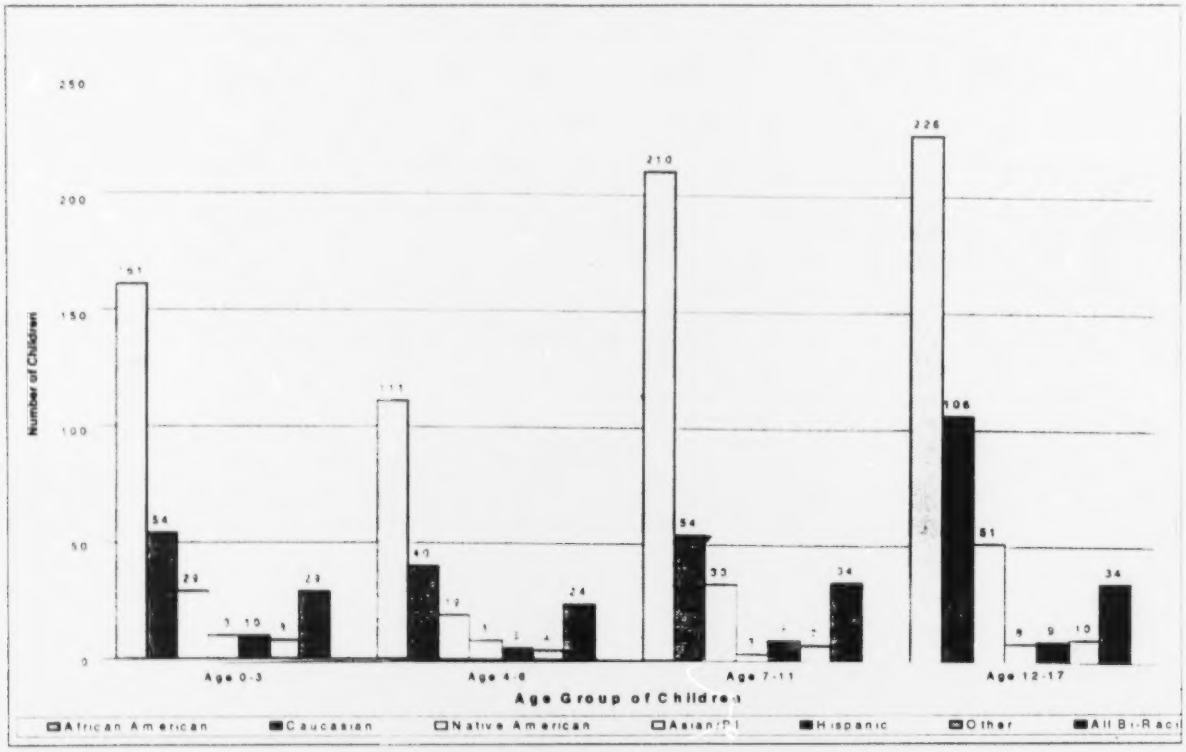
Figure 2. Admissions to St. Joseph's for Seven Days or Less by Race and Ethnicity, 1999



As Figure 2 shows, African-American children make up 55 percent (708) of the total population, followed by Caucasian children at 19 percent (254), Native American children at 10 percent (132), and all bi-racial children at 9 percent (121). Hispanic, Asian/Pacific Islander and "other" comprised fewer than six percent of the total short stay population. It is important to note that information about the race/ethnicity of children at St. Joe's was not systematically collected. At times, information was gathered through interviews with children, police, or child protection workers; at other times, it was based on observations of intake workers. Many of the children identified as "bi-racial" in this study self-identified and were identified by community members as African-American.

Figure 3. Admissions to St. Joseph's for Seven Days or Less by Age and Race/Ethnicity, 1999



As figure 3 illustrates, African-American children are over-represented in every age group in the St. Joe's population. Although the presence of African-American children 18 years of age and younger is recorded as almost 14 percent (13.9 percent) of the entire youth population in Hennepin County, African-American children make up 55 percent of the children entering the shelter for a stay of seven days or less. This is almost four times their representation in Hennepin County's population. It should be noted, however, that in Minneapolis, African-American children 18 years of age and under make up 31 percent of the population.[16] This reduces the disparity somewhat.

[16] U.S. Census Bureau. (2000). "Census 2000 Redistricting Data." P.L. 94-171 summary file.

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Figure 4. Admissions to St. Joseph's for Seven Days or Less by Placement Authority & Age, 1999

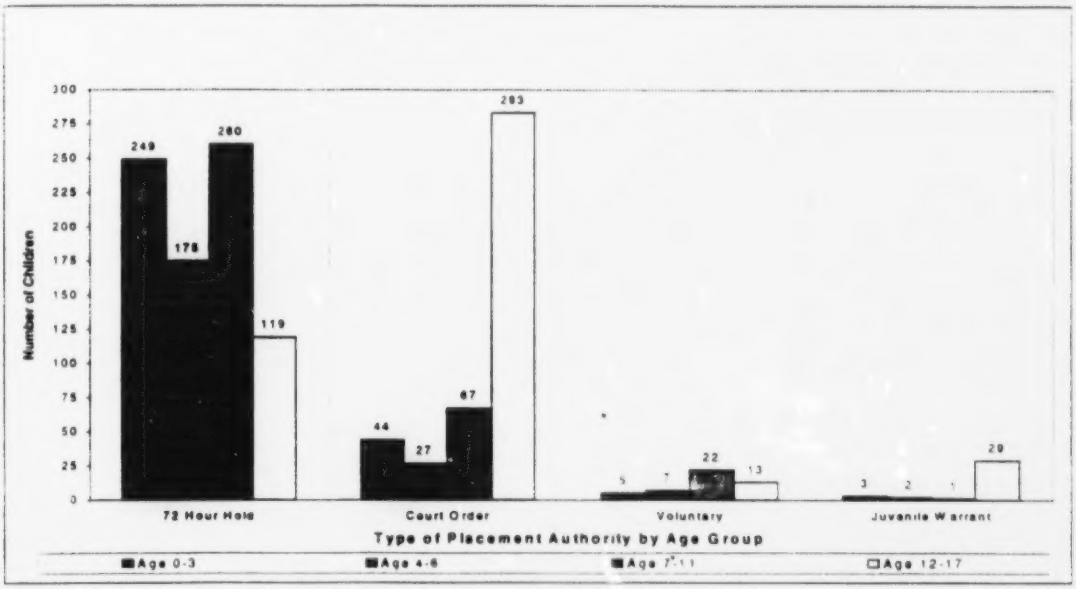

Figure 4 illustrates that children arrive at St. Joseph's home via four methods: 72-hour hold, court order, voluntary placement, or juvenile warrant. A 72-hour hold is the primary placement authority, accounting for 61 percent of all children with a length of stay less than seven days. Court orders bring in 32 percent of the children, followed by voluntary placements (4 percent) and juvenile warrants (3 percent). Of the children brought in under court order, 67 percent are adolescents aged 12–17 years of age.

Figure 5. Admissions to St. Joseph's for Seven Days or Less by Primary Reason Placed, 1999

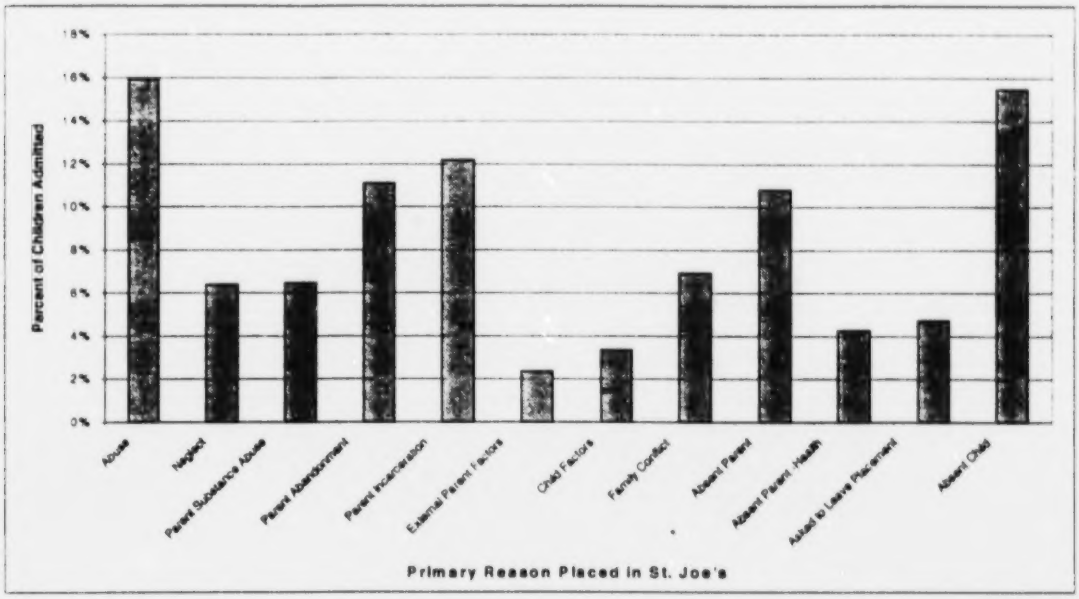

Figure 5 illustrates the reasons for placement of children in St. Joseph's home is varied. The intake forms provide 26 "reasons for placement." However, overlap and indistinct definitions ultimately suggested 12 distinct categories, which include "abuse," "neglect," "parent substance abuse," "parent abandonment," "parent incarceration," "external parent factors," "child factors," "family conflict," "absent parent," "parent absent—health reasons," "asked to leave placement," and "absent child."

Illustratively, the overlap of "parental substance abuse" with "parental incarceration" was acknowledged, but not precisely differentiated. It should be noted that the revised categories, constructed for clarification purposes, met with the approval of St. Joe's intake workers.

"Abuse"[17] including physical and sexual abuse, was the number one reason for placement, accounting for 16 percent of the population. "Absent child" accounted for 15 percent of children entering St. Joe's. This category refers primarily to children who were absenting from their out-of-home placement and returning to shelter care.

"Parent incarceration" was the third most common primary reason for placement (12 percent), and "parent abandonment" and "absent parent" each made up 11 percent of the reasons for placement. "Family conflict" (7 percent), "parent substance abuse" (6 percent), "neglect" (6 percent), "asked to leave" (5 percent), "absent parent-health reasons" (4 percent), "child factors" (3 percent), and "external parent factors" (2 percent) round out the primary reasons for placement.
Some clarification is in order. In some instances, "parent abandonment" includes children

[17] The category of "abuse" encompasses both physical and sexual abuse. Sexual abuse was such a rarely given "primary reason for placement" into shelter that it did not warrant its own category.

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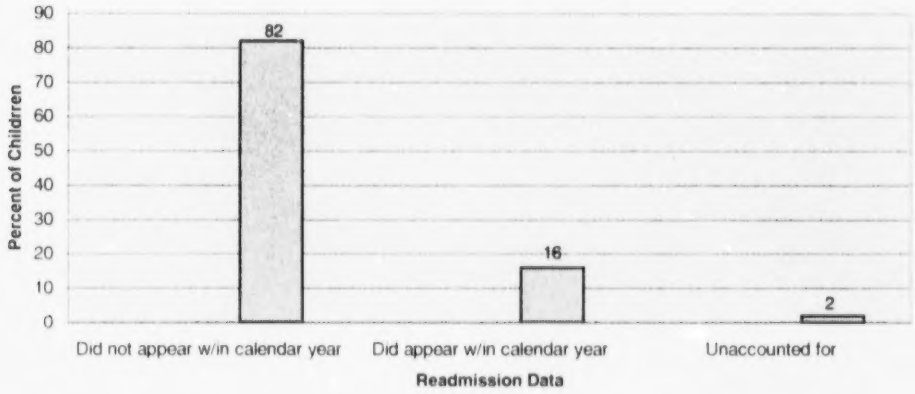
left in the care of family friends or neighbors for a lengthy period of time when the parent could not be located. This is distinguished from "parent absent," which denotes parents who needed to be absent because of family crises such as funerals in another state, or absence due to other emergency, health-related conditions. Furthermore, "parent substance abuse" includes parents about to go into treatment, for whom childcare arrangements had not been finalized. "Parent incarceration" includes parents either under arrest or in jail. "External parent factors" refers to homelessness or incidents arising out of domestic crises. "Child factors" refers to children who were asked to leave placement.

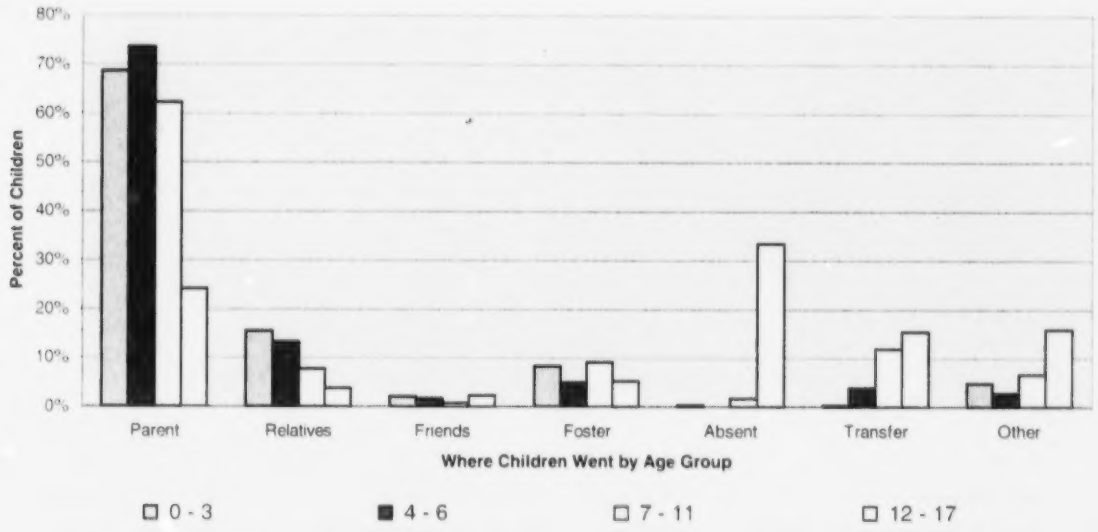
There is considerable variation within the reasons for placement depending on the race/ethnicity and age of the children. Children of color are far more likely to be placed due to "parent incarceration" than are Caucasian children. Seventeen percent of African-American children, 10 percent of Native American children, and 10 percent of all bi-racial children were brought to St. Joe's as a result of "parent incarceration," versus 1 percent of Caucasian children. Moreover, there is relative consistency among the other reasons for placement, when analyzed by race and ethnicity.

Figure 6. Readmission to St. Joseph's for Seven Days or Less, 1999



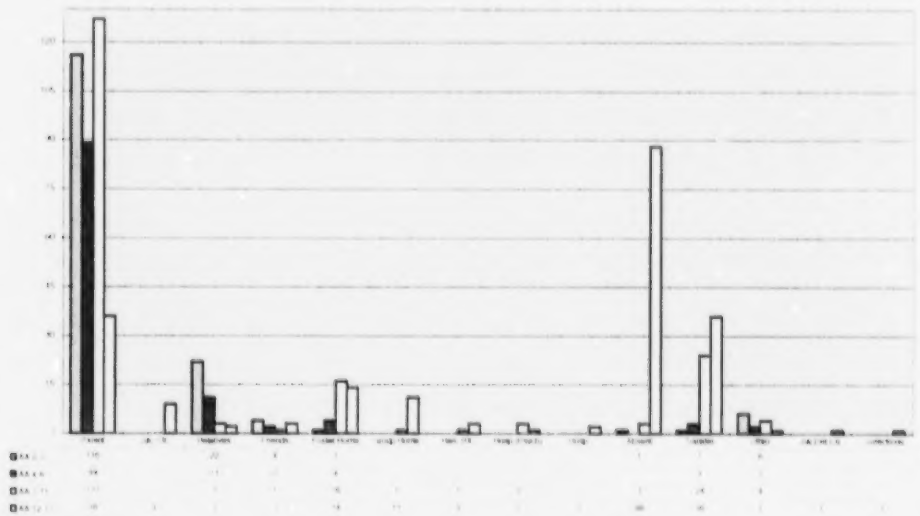
As figure 6 illustrates, importantly, the vast majority of children seen at St. Joe's were returned to the custody of their parents or relatives—they did not show up again in emergency placement in Hennepin County within the year. Data indicated that more than 80 percent of all children had not been readmitted to shelter in Hennepin County within the last 365 days.

Figure 7. Final Disposition of Children Admitted to St. Joseph's for Seven Days or Less by Age, 1999



As Figure 7 illustrates, there was some variation in disposition depending on the age of the children, with children less than 11 years of age being returned to families at much higher rates than adolescents. Children aged 0–6 were returned to families or relatives approximately 85 percent of the time. Slightly older children aged 7–11 were reunified with parents or relatives 70 percent of the time. There was a great drop in family reunification for the adolescent population. Youth aged 12–17 were discharged to the custody of a parent in only 24 percent of the cases, and to relatives an additional 4 percent, for a total family reunification rate of 28 percent.

Figure 8. Final Disposition of African-American Children Admitted to St. Joseph's for Seven Days or Less by Age, 1999



As figure 8 illustrates, African-American children aged 3 and younger comprised 53% of all admissions. Most children, from infants to school-age children (7 to 11), were reunited with parents and relatives. The African-American adolescents (aged 12–17) were least likely to be reunited with family and kin. These children were likely to exit the shelter by running, transferring to another placement, being placed in a foster home or group home, or in a few cases (10 out of 208), ending up in the juvenile center or corrections system.

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Profiles

To provide readers with more focused information on the population of children who were admitted into St. Joe's in 1999, we constructed profiles by age groups. Children were grouped into the following categories: very young children—0–3 years and 4–6 years; school age children—7–11 years; and adolescents—12–17 years.

Children 0–3 Years of Age

Of all children admitted to shelter in 1999, 301 were between the ages of 0 and 3 years of age. They comprised nearly one-quarter, or 23 percent, of the total admissions to shelter for the year. More than 90 percent of the admitted infants and toddlers had not experienced an admission to shelter within the last 365 days. Just less than half of the children were admitted as a part of a sibling group.

African-American children aged 3 and younger comprised 53 percent of all admissions, followed by 18 percent White,10 percent Native American, and 10 percent bi-racial children.

"Parent incarceration" was the primary reason for placement among children aged 0–3, accounting for 21 percent of all admissions in this age group. "Parent abandonment" (15 percent), "physical abuse" (12 percent), "parent substance abuse" (11 percent), "need to locate parent" (10 percent), and "neglect" (8 percent) were the five largest remaining categories of reasons for placement.

The majority of infants and toddlers were brought in under a 72-hour hold (83 percent), and the rest were under court order (15 percent). Only two percent of the emergency placements were voluntary. Finally, 85 percent of children aged 0–3were released to their parents or relatives, and 8 percent were placed in foster care.

Children 4–6 Years of Age

Children aged 4–6comprised 16 percent of the total shelter admissions for the year. As with all age groups, children of color are dramatically over-represented among children aged 4–6 who were admitted into shelter care. Well more than half (54 percent) of all children aged 4–6 at St. Joe's in 1999 were African-American children. Native American children represented another 9 percent of children aged 4–6. Eight percent of children aged 4–6 were identified as bi-racial. Three percent were identified as Asian and two percent Hispanic. Caucasian children accounted for one-fifth, or 20 percent, of the population of children 4–6 years of age at St. Joe's.

More than four-fifths (83 percent) of children entered St. Joe's under a 72-hour hold. Another 13 percent entered through the authority of a court order. Only 3 percent of children 4–6 years of age were placed voluntarily by a parent or caretaker. One percent of all children aged 4–6 entered St. Joe's as a result of a juvenile warrant.

The vast majority of children 4–6 years of age were reunified with family when they left St. Joe's. Similar to children aged 0–3, 86 percent of children aged 4–6 were returned to their parents or relatives. The real impact of that number may actually be slightly higher, as two percent of children were released to "friends." Five percent of children went to foster care when they left St. Joe's, and

four percent experienced a transfer of custodial care—likely between foster care placements. The final disposition of an additional three percent of children fell into the category of "other."

Children 7–11 Years of Age

Children aged 7–11 represent 27 percent of all children admitted to St. Joe's during 1999. More than 90 percent of the admitted youth had not experienced an admission to shelter within the last 365 days, and just more than 60 percent of the children were admitted as a part of a sibling group.

Again, as with all age groups, children of color are over-represented among the children aged 7–11 admitted to shelter care. African-American children represented 63 percent of children aged 7–11at St. Joe's in 1999. Native American children represented another 10 percent, followed by 6 percent of children identified as bi-racial, 3 percent who identified as Hispanic, and 2 percent Asian. Caucasian children accounted for 16 percent of the population of children aged 7–11 at St. Joe's.

"Physical abuse" is the primary reason for placement among children aged 7–11, accounting for 18 percent of all admissions in this age group. "Parent incarceration" (17 percent), "abandonment" (14 percent), "need to locate parent" (12 percent), and "neglect" (10 percent) were the five largest remaining categories of reasons for placement.

The majority of children aged 7–11 entered St. Joe's under a 72-hour hold (74 percent), while 19 percent entered under a court order and 6 percent entered on a voluntary basis. Of these children, 70 percent were released to their parents or relatives, and 8 percent were placed in foster care.

Children 12–17 Years of Age

Thirty-four percent of all children admitted into St. Joe's in 1999 were aged 12–17 percent. For sixty-one percent of these children, this was their first admission to shelter within the last year. Nineteen percent of the children were admitted as a part of a sibling group.

Once again, of all older children admitted, children of color were over-represented among the children aged 12–17. African-American children represented 52 percent of the population. Native American children represented 12 percent, bi-racial children 6 percent, and both Asian and Hispanic children represented 2 percent of the children aged 12–17. Caucasian children accounted for 24 percent of the population of children 12–17 years of age at St. Joe's.

Sixty-four percent of older adolescents entered St. Joe's through the authority of a court order, and 27 percent entered under a 72-hour hold. The top five reasons for placement among children aged 12–17 are as follows: 33 percent were runaways from placement, 6 percent were runaways from home, 9 percent were adolescents asked to leave placement, 8 percent were in shelter placement because of physical abuse. Only 5 percent of the older children were placed because of parental incarceration.

The disposition information is as follows: for almost one-third (33 percent) of these children, there was no record of where they had gone after their shelter placement, as they ran away from St. Joe's. Only 24 percent of the older adolescents were reunified with family, the lowest rate among all age groups.

Notes on Findings

Very young children, aged 6 and under, account for a substantial portion of children in short-term stays in the shelter (39 percent). Furthermore, of all children in emergency care for seven days or less, a large portion (46 percent) were admitted as part of a sibling group.

A high proportion of children come from the Fourth Precinct. It is worth noting again that the Fourth Precinct has the highest adult arrest rate in Minneapolis, and has been designated as a CODEFOR area, but it does not have the highest rate of reported crimes. This suggests that while there may be heightened surveillance from social workers and police, the community is reluctant to report suspected criminal activities or children in need of protection.

Most children are brought to the shelter under 72-hour hold authority, especially in the case of infants and toddlers (83 percent). The 72-hour hold signifies that they are in unsafe situations. These are chiefly associated with parent incarceration. These circumstances range from substance abuse raids, narcotics warrants, DWIs, and child endangerment to traffic violations and shoplifting. Other circumstances include parent absence due to health crisis, neglect, or inability to cope. Child abandonment is also noted as a frequent circumstance of these young children. This is in marked contrast to adolescents aged 12–17 who come to shelter care because of disruptive placements, either in family foster care or group homes.

Reasons for removal to emergency care have a distinct racial association. The racial breakdown of the group of children 0–3 years of age is especially noteworthy. African-American infants and toddlers comprise 53 percent of admissions, followed by 18 percent Caucasian, 10 percent Native American, and 10 percent bi-racial children. Children of color are far more likely to be placed due to parent incarceration than are Caucasian children (African-American 17 percent and Native American 10 percent versus Caucasian 1 percent).

Although most young children are reunited with parents or relatives, a substantial number of older children—primarily children of color—left emergency placements as "runaways." Bi-racial and Native American children are strikingly represented in the category of children who are characterized as "runaways."

Only a very small number of children who came to the shelter in 1999 are in repetitive placements.

Discussion

Three distinct but interrelated issues emerge in this study: police/child protection relationships, the impact of parental arrests on children, and the factors of race and ethnicity in emergency removal.

Police/Child Protection Relationships

The extent of police powers that can be used in response to child maltreatment reports is generally not fully realized or understood. Police power has been greatly expanded during the past two decades. For example, only police, sheriff, or other agents of law enforcement can remove children from their parental households.

Furthermore, reports of child abuse and neglect may be made to either police or child protection workers. The law does require "cross-reporting," that is, each party must exchange information at this stage.[18] Joint responsibilities in the investigation stage, however, are discretionary,[19] and working arrangements vary. Joint investigations when caseworkers and police/sheriffs go to the household together are exceptional in Hennepin County. When they do occur, the roles are negotiated. Typically, law enforcement concentrates on gathering evidence and caseworkers assess the family and child circumstances. Joint investigations generally occur when egregious harm related to sexual and physical abuse is perceived, and where the neglect is of a criminal nature. Police powers allow arrest during the investigation if there is reason to believe that a crime has been committed.

Although administrative reviews generally give good marks to the partnership,[20] tensions arise at the level of direct service in terms of cross-reporting, investigation of cases, and case planning. Clearly child protection and law enforcement operate under different professional ideologies.

Law enforcement standards of child removal and placement are embedded in a criminal model centered on the perpetrator and documentation of evidence. For the law enforcement officer, gathering evidence is the preeminent concern, and a quick removal to the shelter is the convenient action. The social service perspective is absorbed with reasonable efforts directed toward family and child interests. For caseworkers, the search for options, when emergency removal is required, is guided by concerns for the "least disruptive placement." Reconciling these points of view requires negotiation and mutual respect. Incidents of tension and misunderstanding do arise from time to time, as our interview data disclosed. Illustratively, there are differing assessments of "imminent harm" and the conditions under which children are returned to parents. Supervision and administrative reviews are important elements in solving issues in these ambiguous partnerships. It should be noted that 80 percent of children are reunified with parents. The children do not reappear in the shelter in the year under review. The extent to which the children are reunited with parents/kin under protective supervision (a closely supervised arrangement) was not revealed in the disposition data. What transpires at the time of the child's return to parents/kin is not available in

[18] Minn. Stat. 626.556, subd. 3(a).
[19] Minn. Stat. 626.556, subd. 6.
[20] Minnesota Department of Human Services, Family and Children's Services Division. (2000). *Evaluating Minnesota's Child Protection System: An external review of Child Protection Services in Hennepin*

administrative data. Whether this event is used to conduct risk assessment or to offer voluntary services is open to question.

In a 72-hour hold, time is of the essence. The interview data reveal that the rapid assessment of the family's capacity to care for the child is most frequently the contentious issue between police and child protection workers. Understandably, the crisis nature of emergency placement does not generally allow reflective decisions. The assignment of a specialized officer for child protection interests and the enlarged role for the Community-Based First Response unit does increase the opportunity for mutual decisions, but whether the deliberative actions are focused on the welfare of the children is still unclear. The police action in the case of homeless families is a case in point. Very young children and sibling groups are likely to be involved, and attention to their needs is crucial. Sorting out the capacity of parents to care for young children in sibling groups under stressful circumstances, while at the same time being sensitive to the safety needs of the children, can create a daunting assessment predicament.

The length of time caseworkers and police have worked together appears to be the key to a mutual understanding of roles and responsibilities. To encourage a knowledgeable and stable working relationship, each law enforcement precinct has an officer with special training in child protection, and the Fourth Precinct, the source of the greatest number of emergency removals, has two social workers on-call throughout the night. This arrangement should continue to be supported.

The Impact on Children When Emergency Removal Occurs: The Case of Parental Arrests

This study reveals that a primary reason for very young children (aged 0–6) to be removed in emergency situations is parent incarceration. In most cases, the removal of a child from parents is a traumatic, grief-laden event. This event exacts an even more devastating toll when the child witnesses the arrest of a parent. Perhaps Justice Sandra Day O'Connor expressed this most vividly in her dissenting opinion in *Atwater*[21] when she warned of dire long-term consequences when children witness "gratuitous humiliation" and "the pointless indignity" that frequently accompanies arrest. Interview data reveal that handcuffing, shackling, and being pushed into the back of a squad car was a common circumstance in parental arrest. Justice O'Connor warns that "unbounded discretion" for the police in the manner of arrests "carries with it grave potential for abuse." It is these events that incite children to feelings of helpless rage, humiliation, and fear.

Justice O'Connor, in her dissent, noted that children may harbor throughout their lifetimes either respect for or dread and hostility toward law enforcement, depending on what they witness when parents are arrested.

The police response to children is of key importance. Unless the police officer is sensitive to the needs of children, the childrens' removal in another squad car may be unattended.

The circumstances of parent arrest may be entirely unrelated to the reports of child maltreatment. The most common circumstances involved warrants of arrest for excessive parking fees, forged checks, shoplifting, faulty cars, substance abuse, or narcotics.

[21] *Gail Atwater et al.* 532 U.S. Supreme Court (2001).

In some cases, the arrest involves a crime related to child endangerment, such as a DWI with a child in the car. In domestic violence situations, arrests may occur if the child is used as a shield or the parent is unable to protect the child from an abusive partner.

According to one observer, from the child's point of view, placement is a euphemism for arrest. For the child, there are no benign motives for the removal. It is perceived as an involuntary separation.

Under urgent circumstances, police may or may not attempt to locate parents or guardians to take custody. Typically, children are "detained." The extent to which police respond to children's anxious questions—"when will we see our mommy and where?"—depends on the officer's "comfort" in playing the role of the social worker. It is by no means uniform.

The decision to await the arrival of a child protection worker is up to the police, and this is an ambiguous arrangement. Yet, it is crucial for someone to explain to the child the various options that might be considered, including being reunified with parents, placed with relatives, or placed in a shelter while a decision is made regarding their disposition.

Clear protocol rarely exists for how police are supposed to treat children, thus the treatment of a child is dependent upon the police officers' sensitivity to the needs of children. If a child is not present when a parent is arrested, the police may not know about the existence of the child and thus may not be concerned about the child's needs.

The Factors of Race and Ethnicity in Emergency Care

The data from this study reveal a substantial overrepresentation of children of color in shelter care. A discussion of the factors that contribute to this disparity are beyond the scope of this study. However, inasmuch as a high proportion of emergency placements arise from the Fourth Precinct, the neighborhood data for this precinct provides an opportunity to speculate about these factors. Do the characteristics of these neighborhoods in the Fourth Precinct create an environment (CODEFOR) of increased surveillance resulting in increased parental arrests? Do the neighborhoods suffer from factors of poverty, disorder, and mobility, all of which might reduce the capacity of neighbors to care for children in emergency situations? Is the reporting of maltreatment subject to bias? It should be noted that of the two social workers assigned for nighttime duty in the precinct police station, one is an Hispanic female and the other an African-American male. Interview data revealed no differences in their assessment of harm. Differences were more likely to come from police assessments. The subject of racial overrepresentation is troubling and deserves study beyond the data presented here.

Recommendations

The disproportionate number of children of color in emergency placement has raised justifiable concerns about police and child welfare procedures. Yet, to date, the racial factor in parental arrests has not been carefully scrutinized. In the interest of providing guidance to reduce the number of children placed in shelter care, the circumstances of parental incarceration should be the focus of a detailed study. Furthermore, the training component for police officers, when parental arrest involves children, needs to be reviewed.

Best practices for police involvement with children and families at the time of parental arrest include the following: asking parents about their children; allowing the parent time to reassure the child about what is happening; allowing the parent time to take care of a few "loose ends," such as notifying a workplace or finding a caregiver for the child; allowing the child to bring personal belonging from home, such as a stuffed animal or book; and providing information to the child (at a developmentally appropriate level) about what is happening to the parent and what will happen to the child. To improve the likelihood of best practices occurring, a protocol should be adopted for dealing with children in cases of parental arrest. Police should be given training on how to talk to children in times of trauma. Police should also be informed that the manner in which they treat parents during an arrest is something that a child will remember forever. Treating parents with respect during an arrest could provide one venue for improving the relationship between police and the public. Police should also adopt simple efforts to increase the comfort of children, such as carrying children's toys or other comfort items in their squad cars.[22] Children's responses to separation will vary according to their developmental level. Although coping with known bad situations is difficult for children, coping with uncertainty is even more difficult. Where will I live? Who will care for me? When will I see my parent again? When will I return home? And what will happen? These are common questions that require a response suitable for the child's age and stage of development.

Officially, the relationship between law enforcement and child welfare services is favorable. Administrators from both departments report good working relationships and similar goals.[23] However, the evaluation of Child Protection Services in Hennepin County shows that there is room for improvement in the relationship between child protection and police.[24] The problems are at the level of direct service, specifically cross-reporting and investigation of cases. Police do not always notify child protection of child welfare concerns. Similarly, police and law enforcement report frustration with the procedures of child protection such as the screening criteria for placement and the rapid return of children to potentially unsafe homes.
More attention should be paid to the effect of the child's witnessing a parent's arrest. Claire Sandt provides sound and useful guidance:

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[22] Claire Sandt. (2000). "Helping Children Handle Disruption: Tips for Advocates." *Child Law Practice* 9 (September): 106–108; and Lois E. Wright and Cynthia B. Seymour. (2000). *Working with children and families separated by incarceration: A handbook for child welfare agencies*. CWLA Press.

[23] Conversations with Hennepin County Director of Children and Family Services and City of Minneapolis Chief of Police.

[24] Minnesota Department of Human Services, Family and Children's Services Division. (2000). *Evaluating Minnesota's Child Protection System: An external review of Child Protection Services in Hennepin County*.

> Traumatized children take in what they're emotionally ready to handle. How you present information to the child about what's happening is critical. The manner in which you deliver information, word choice, tone of voice, repetition of information, and use of pauses all affect how the child perceives the situation. It's important to give the child as full an understanding of what's happening as possible, while being careful not to overload the child. . . . The child needs to know his/her concerns are being taken seriously . . . Remember, the child hears what you say. . . . Give children something to call their own. Abused and neglect children are facing many losses at the time of removal—their parents, their communities, their belongings. They need something they can call their own, such as a book, toy, or piece of clothing from home. Be creative and see if there's a way to retrieve a personal object from the child's home. If necessary, remind the judge of the impact the proceedings are having on the child. . . .[25]

Protocols should be reviewed periodically, with special attention to the child. A training unit, "Through a Child's Eyes," should be developed.

To reach the goal of fewer removals to the shelter, the introduction of a "community worker" should be considered. This individual would be someone who has detailed knowledge of the supportive networks of the community. The community worker's major task would be to focus on the child and identify resources (such as relatives, close friends, faith establishments, school, or other community connections) to minimize disruptive shelter placements. The fact that there are few repetitive placements within a calendar year indicates that most children can be safely maintained within kin and extended family networks while the emergency conditions are assessed.

Without question, the disproportionate number of African-American children in emergency care deserves special attention.

[25] Claire Sandt (2000), "Helping Children Handle Disruption: Tips for Advocates," *Child Law Practice* 9 (September): 106–108.